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# Local superfund site involved in lawsuit

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CREEDEAccording to outside sources, owners of the Commodore Waste Rock Pile and Nelson Tunnel Superfund site have been sued by the U.S. Environmental Protection Agency (EPA) last Thursday.

In an article released on April 15 by the Denver Post it states that, "The superfund site is in the San Juan Mountains less than two miles from the town of Creede. Shafts were dug in a series of hard-rock silver mines operated between 1889 and the 1980s tapping the "Amethyst Vein." Horizontal tunnels also were bored, including the Nelson Tunnel. The Nelson Tunnel is partially collapsed but continues to drain acid runoff.

Also released recently by the Associated Press it states, "The Commodore Waste Rock Pile, located just outside the entrance of the Nelson Tunnel, included a water conveyance system that failed around 1995, releasing mine waste containing heavy metals including arsenic, cadmium, lead, manganese and zinc into West Willow Creek."

Associated Press continues stating that, "The lawsuit says the discharge each day from the Nelson Tunnel into Willow Creek carries 375 pounds of zinc, 1.37 pounds of cadmium and 6.39 pounds of lead. Zinc levels have hit 25,000 parts per billion, hurting fish reproduction for more than four miles down to a confluence with the main stem of the Rio Grande, where dilution eases the impact. Since 1983, Colorado has had 22 sites listed as environmental disasters bad enough to qualify for Superfund cleanup, 10 of them caused by mining, according to EPA records. Only three cleanups have been completed."

In recent news released by The Pueblo Chieftain, the company CoCa Mining Inc. has "agreed in principle to a settlement of \$6 million," which is a portion of costs the EPA is looking to recover.

Cleanup operations began when the tunnel collapsed and began to release toxic material into Willow Creek watershed which took place in 2008 and 2009. The site had already been identified as a superfund site by the EPA prior to cleanup studies. The EPA began a feasibility study in 2015, to find possible cleanup solutions to stop toxic debris from entering the watershed.

Though the site has remained unstable, no further cave-ins have occurred. The EPA and local organizations such as the Willow Creek Reclamation Committee have been working together to find a way to clean up the location. WCRC recently applied for grants to help with costs associated with the project and have been actively seeking letters of support to increase chances of approval.

There is a population replenishment of trout in east Willow Creek and above the Nelson Tunnel that was found two years ago. The area between the Nelson Tunnel and the Rio Grande river continues to be a problem area. All efforts administered to areas above and around the tunnel are squandered by pollution created by the Nelson Tunnel area. Efforts continue to go forth in the attempt to rectify the situation and improve the water quality in this stretch of water known as Willow Creek.

More information on the subject will be reported as it comes available